

AA
#5
2/16/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

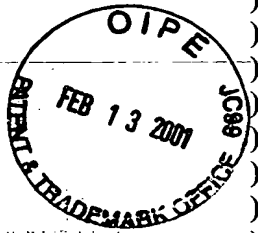
In re Application of:

SKLAR *et al.*

Serial Number: 09/501,643

Filed: February 10, 2000

For: **FLOW CYTOMETRY FOR HIGH
THROUGHPUT SCREENING**



) Art Unit: 1641

) Examiner: GABEL, G.

RECEIVED

FEB 14 2001

TECH CENTER 1600/2000

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement, mailed February 6, 2001, the period for response to which is set to expire on March 6, 2001. Applicant hereby elects Group I, without prejudice or disclaimer.

REMARKS

The Examiner has required a restriction between the following groups:

- I. **Claims 1 through 27**, drawn to flow cytometry apparatus, classified in class 422, subclass 50, for example and
- II. **Claims 28 through 45**, drawn to flow cytometric method for analyzing a plurality of samples, classified in class 436, subclass 518, for example.

Applicants elect the claims of Group I, *with traverse*, i.e., claims 1 through 27, for prosecution in the instant application. Applicants reserve the right to file divisional applications for the subject matter covered by the remaining groups. The inventors for the invention of the elected claims are the same as the inventors of record in the application.

In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance and favorable action is respectfully solicited.